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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 PATRICK L. GUILLORY,)
8)
9 Plaintiff,) CASE NO. C06-747-MJP-MJB
10 v.)
11 SNOHOMISH COUNTY JAIL, *et al.*,) ORDER DENYING MOTION
12 Defendants.) FOR ISSUANCE OF SUBPOENAS
_____)

13 This matter comes before the Court on Plaintiff's motion for the Court to issue
14 subpoenas. (Dkt. # 34.) The Court, having considered the motion and the remainder of
15 the record, does hereby find and ORDER:

16 (1) Plaintiff's motion for issuance of subpoenas (Dkt. #34) is DENIED.
17 Plaintiff makes a second request that the Court issue eight (8) subpoenas on Defendants'
18 attorney and "mental health doc. in Ohio," and effect service of those subpoenas by the
19 U.S. Marshal's Service or any other person or officer. This Court denied Plaintiff's
20 prior request for issuance of those subpoenas, based on Plaintiff's lack of compliance
21 with the issuance requirements of Federal. Rule of Civil Procedure 45 when he failed to
22 specify on the subpoenas the place, date, and time at which the production and
23 inspection of the requested documents were to be made. *See* Dkt. #31. Although
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1 Plaintiff has now corrected that defect in the subpoenas, he still has not satisfied the
2 issuance requirements of Rule 45, which provides in relevant part:

3 A subpoena must issue as follows:

4 * * *

5 (C) for production and inspection, if separate from a subpoena
6 commanding a person's attendance, *from the court for the district where
the production or inspection is to be made.*

7 Fed. R. Civ. P. 45(a)(2)(C) (emphasis added). Because Plaintiff seeks production and
8 inspection of the requested documents at the Marion Correctional Institution in Marion,
9 Ohio, the subpoenas must issue from the court for that district.

10 In order to avoid such defects in any future requests for issuance of subpoenas,
11 Plaintiff is advised to carefully review the requirements of Fed. R. Civ. P. 45. Further,
12 to the extent that Plaintiff seeks to obtain production of documents from party
13 opponents, he is advised to review the Federal Civil Procedure Rule governing such
14 discovery.

15 (2) The Clerk shall send copies of this Order to Plaintiff, to counsel for
16 Defendants, and to the Honorable Marsha J. Pechman.

17 DATED this 4th day of January, 2007.

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20 MONICA J. BENTON
21 United States Magistrate Judge
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